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Passages Silver Strand LLC and
Grasshopper House LLC

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Grasshopper House LLC, a California limited liability company doing business as Passages Malibu, **Passages Silver Strand LLC**, a California limited liability company,

Civil Case No.: 3:09-CV-778-HA

Plaintiffs,
vs.

**DECLARATION OF MELISSA SMITH
IN SUPPORT OF MOTION FOR
ORDER TO SHOW CAUSE**

Renaissance Malibu Foundation, a California non-profit corporation.

Defendants.

Salvatore Petrucci, an individual; **Renaissance Recovery Services, LLC**, a California limited liability company; **NNB Recovery Services, LLC**, a California limited liability company.

Additional Parties Bound By Injunction

I, Melissa Smith, hereby declare:

1. I have been employed by Ganz Law, P.C. in Hillsboro, Oregon since November of 2004 as an officer manager and paralegal.
2. Beginning in June 2009 through the present time, I conducted internet searches, using the Google and Yahoo search engines, using the keywords "PASSAGES" and "PASSAGES

MALIBU". The search results pages displayed pay-per-click ads, also called "sponsored links", that directed me to the domain name www.maliburecovery.com. Attached as Exhibits A1-A20 are exemplary copies of web pages listing results of such Internet searches that I ran and continue to run, on most business days. The date of each search is stamped at the top of each PDF. To date, such Internet searches for "PASSAGES" and "PASSAGES MALIBU" consistently generate sponsored links for www.maliburecovery.com, the website for "Renaissance Malibu".

3. "WHO IS" is a publicly available online directory (Domains.whois.com) that allows internet users to obtain information about domain name registrations. Attached as Ex. B is a true and correct copy of the "WHOIS" results for maliburecovery.com that lists Sal Petrucci as administrator of the domain maliburecovery.com.

4. Renaissance Malibu and Renaissance Malibu Foundation share a website at the www.maliburecovery.com domain. Attached as Ex. C is a true and correct copy of a PDF made on June 22, 2009 from the Renaissance website, that shows a tab to "Foundation". Attached as Ex. D is a copy of a webpage available on May 24, 2010 at www.maliburecovery.com describing the Renaissance Malibu Foundation.

5. Ex. E is a true and correct copy of a screen shot from a Google search I conducted on May 20, 2010 for "Renaissance Malibu Foundation". It shows that the search for "Renaissance Malibu Foundation" brought up websites for both "Renaissance Malibu" and "Renaissance Malibu Foundation" that share the domain of www.maliburecovery.com.

6. Exs. F-H are true and correct copies of searches I ran in the California Secretary of State's database for "Renaissance Malibu Foundation" "Renaissance Recovery Services, LLC" and "NNB Recovery Services, LLC", that show the entities share a common address.

7. Exs. I-J is a true and correct copy of searches I ran in the Trademark Electronic Search System that show that the trademarks "RENAISSANCE MALIBU" and "MALIBU RECOVERY" are registered to Salvatore Petrucci, an individual.

8. On October 21, 2009, Plaintiff's Co-Counsel EJ Simmons e-mailed notice to info@maliburecovery.com that the time for filing an answer or appearance in this case has expired. Exhibit K is a true and correct copy of this email that was retained as a business record.

9. On December 10, 2009, Plaintiff's Co-Counsel EJ Simmons mailed notice to Renaissance Malibu Foundation and its Registered Agent that a default judgment had been entered. Exhibit L is a true and correct copy of this letter that was maintained as a business record.

10. Ex. M is a true and correct copy of emails dated May 12 and 13, 2010 from Plaintiff's local counsel in California to opposing counsel, requesting that Petrucci immediately cease and desist from using Passages marks in online marketing. The email was retained as part of our business records in this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 25, 2010


Melissa Smith